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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FLUIDIGM CORPORATION, A DELAWARE CORPORATION; AND FLUIDIGM CANADA INC., A FOREIGN CORPORATION.

Plaintiffs.

V.

IONPATH, INC., A DELAWARE  
CORPORATION.

Defendant.

Case No. 3:19-cv-05639-WHA

**[PROPOSED] ORDER GRANTING  
IONPATH, INC.'S PARTIAL  
MOTION TO DISMISS PLAINTIFFS'  
FIRST AMENDED COMPLAINT**

1 Before the Court is Defendant IONpath, Inc.'s Partial Motion to Dismiss Plaintiffs' First  
2 Amended Complaint. Having considered the matter, the Court hereby **GRANTS** the motion.

3 Therefore, IT IS HEREBY ORDERED that Counts One, Three, Four, Six, Seven, Nine,  
4 and Ten of Plaintiffs' First Amended Complaint are dismissed.

5 Further, IT IS HEREBY ORDERED that Plaintiff Fluidigm's prayer for relief of  
6 enhanced damages pursuant 35 U.S.C. § 284 is denied.

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9 **IT IS SO ORDERED.**

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11 Dated: \_\_\_\_\_

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13 Hon. William Alsup  
14 United States District Judge  
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